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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

JOHN GILBERT,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
APC NATCHIQ, INC.	)	
	)	
Defendant.	)	
_____	)	Case No. 3:03-CV-00174 RRB

**AFFIDAVIT OF JOHN GILBERT**

STATE OF ALASKA	)	
	)	: ss.
FOURTH JUDICIAL DISTRICT	)	

John Gilbert, being first duly sworn, upon oath deposes and states as follows:

1. I am the Plaintiff in the above captioned matter.

2. I was employed by APC as a Safety Specialist at Kuparak, Alaska from January 30, 2001 to January 1, 2002, and as a Safety Supervisor thereafter through April 22, 2003.

3. When I worked, I worked at the Kuparak Field on the North Slope of Alaska.

4. My general work schedule was two weeks on, two weeks off with occasional three weeks on, three weeks off work schedule occurring.

5. I understood my workday to be twelve hours 5:30 a.m. to 5:30 p.m. However, I often worked well in excess of twelve hours per day. Additionally I was often times, called out at night, or in the middle of the night for work. I kept track of my hours worked in my daily calendar. These entries were made extemporaneously with the day's work. APC kept no record of my hours worked.

6. I worked 12 hours per day. However, I was directed to record 10 hours per day on my time card by APC management.

7. I discussed with my immediate supervisor why I was working 12 hours per day but, recording 10 hours per day on my time sheet while not receiving overtime pay. I received no answer. The discussion took place on Thursday, March 29, 2001. I recorded the discussion within my daily log.

FURTHER AFFIANT SAYETH NOT.

DATED this       day of       , 2006, at Idaho Falls, Idaho .

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JOHN GILBERT

SUBSCRIBED AND SWORN to, before me, this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

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NOTARY PUBLIC IN AND FOR THE  
STATE OF \_\_\_\_\_

**CERTIFICATE OF SERVICE**

This is to certify that a copy of the foregoing has been  
HAND DELIVERED VIA COURIER to the following  
attorney(s) and/or parties of record:

**Patricia Zobel**

**DeLisio Moran Geraghty & Zobel**

**943 W. 6<sup>th</sup> Ave.**

**Anchorage, AK 99501**

Dated:

By: /s/ Emily S. Ervin  
Emily S. Ervin for Kenneth L. Covell